



STATE PROCUREMENT OFFICE
NOTICE OF REQUEST FOR EXEMPTION '12 JUN 27 P12:36
FROM HRS CHAPTER 103D

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Accounting and General Services
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:

Procure professional services for an Archivist to provide oversight and consultation on the Hawaii State Digital Archives project to ensure the system is designed, built and implemented in accordance with international standards and current best practices for long term, trustworthy preservation of digital records while also serving as the subject matter expert on issues relating to digital preservation systems. The consultant will also interface with the Archives staff, agency project partners, State IT staff and the public to ensure that the functional requirements and satisfaction criteria are documented and achieved. Digital archives protect machine readable records of enduring legal, historical or fiscal value from loss, alteration, deterioration and technological obsolescence in an environment independent from that which produced the records.

2. Vendor/Contractor/Service Provider: Adam Jansen, Dkives Consulting

3. Amount of Request:
\$ 150,000

4. Term of Contract From: 7/1/2012 To: 6/30/2013 5. Prior SPO-007, Procurement Exemption (PE):

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

The Archives solicited for consultant services twice (2007 and 2009) for the planning of the proposed Hawaii State Digital Archives project, through an RFP process and received only two proposals both times. However, despite the lack of proposals, we were fortunate that one of the offerors was highly qualified for our project, having planned, designed, built, and managed a digital archives for the state of Washington. This was Adam Jansen (Dkives Consulting).

To manage this new project for the building of the Digital Archives (as further detailed below) we issued an RFP for professional services and only received one proposal. Given the highly specialized nature of the services being sought, we believe it is unlikely that issuing another solicitation will result in additional offerors. Numerous archival organizations were informed of the RFP and still the result was the single proposal. Further, time is a factor. The first year of the project is funded and needs to begin July 1 to be able to complete the ambitious scope of work planned for the first year of the three-year Digital Archives initiative. Delays would jeopardize completion of the first phase and add additional costs to the project.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

On May 8, 2012, the Archives issued an RFP to solicit professional services to provide oversight and consultation to manage the building of the digital archives for the Hawaii State Digital Archives project. Among other things, the RFP required the contractor to be present in Honolulu while performing its services on this project. Based on its experience with the prior contract for this project, the Archives learned that frequent and regular interface between the contractor and the agency partners and the Archives staff was essential to the success of the contract. The Archives concluded this local presence requirement was necessary to achieve the intended results of the contract and included it in the subject RFP. This may have contributed to the fact that although four inquiries were received, only one candidate applied. A review committee met June 6, 2012 and found the single candidate, Adam Jansen (Dkives Consulting) qualified. The Archives would like to award the contract to Dkives Consulting, and so requests this exemption under HRS 103D-102 (and not under HAR 3-122-66's alternative procurement because of the recent circuit court decision that found HAR 3-122-66 to be invalid).

8. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) completed mandatory training; and 2) who may contact for follow up inquiry, if any.
(Type over "example" and delete cells not used.)

Name of Department Personnel	Division/Agency	Phone Number	e-mail address
Susan Shaner	DAGS/Archives	586-0310	susan.e.shaner@hawaii.gov
Gina Vergara-Bautista	DAGS/Archives	586-0323	gina.s.vergara-bautista@hawaii.gov

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
I certify that the information provided above is, to the best of my knowledge, true and correct.*



Department Head Signature



Date

For Chief Procurement Officer Use Only

Date Notice Posted:



Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 07/01/12 to 06/30/13. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or bonnie.a.kahakui@hawaii.gov.

☒ Approved

☐ Disapproved

☐ No Action Required



Chief Procurement Officer Signature

Date